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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,406	09/29/2000	Benoit Vialle	24530.00600	9675

7590 07/17/2003

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/17/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/675,406

Applicant(s)

VIALLE ET AL.

Examiner

X L Bautista

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by *Giordano, III et al* (US 6,285,364 B1).**

**Claims 1 and 17:**

Giordano discloses a method for managing calls initiated from a phone device of an Internet-capable appliance (such as a personal digital assistant (pda) or Internet-capable telephone), (abstract; col. 1, lines 8-11, 18-22, 36-41). The apparatus and method for organizing and displaying Internet and telephone information is initiated in response to a call signal (abstract; col. 2, lines 27-56). A graphical user interface (GUI) enables the user to initiate a phone call in response to a dial signal (col. 5, lines 14-39; col. 6, lines 31-51).

**Claims 2, 10, and 18:**

See claim 1. Giordano teaches an Internet-compatible telephone having a display screen 82, a touchpad 81, a telephone dial pad 87, a call device to control

the phone device and display a selectable interface, a telephone task 84 for implementing telephone functions, such as initiating and terminating telephone calls (figs. 5, 6; col. 6, lines 36-61; col. 7, lines 34-42; col. 8, lines 20-39).

Claims 3 and 19:

Giordano teaches a talk button icon 48 (figs. 3, 7; col. 7, lines 8-9).

Claims 4, 13, and 20:

Giordano teaches suspending a current application when the application is other than the call device (col. 1, lines 43-47; col. 6, lines 47-51).

Claims 5 and 21:

Giordano teaches a redial function (figs. 3, 7; col. 5, lines 30-34).

Claims 6 and 22:

Giordano teaches receiving a phone number for a phone call, and searching a name associated with the phone number in memory (col. 2, lines 62-65; col. 5, lines 23-25; abstract; figs. 3, 7).

Claims 7 and 23:

Giordano teaches a timer 88 (col. 6, lines 50-51; col. 7, lines 16-19).  
Giordano teaches that the event handler generates interrupts that control the interface (slide-up window) upon occurrence of predefined events or context-based triggers, such as a timer 88 event (col. 6, lines 47-51). The interface slides up and slides down when the timer is triggered, that is, it opens when a call starts and

closes when the call ends (abstract, lines 5-8; col. 6, lines 65-67; col. 7, lines 1-4).

Claims 8 and 24:

Giordano teaches that the user can add information (name, phone number) to the address book (col. 2, lines 62-65; col. 5, lines 20-59).

Claims 9 and 25:

Giordano teaches that the event handler recognizes the termination of a condition, and in response to that condition the screen is displayed or retracted (col. 4, lines 56-67; col. 5, lines 1-13; col. 9, lines 17-23). Even though the screen appears to slide at some speed, a lapse time is always necessary between the time the event handler recognizes the termination of a condition and the time the window starts to slide up or down.

Claim 11:

Giordano teaches that phone calls are placed and received according to the user selections (col. 5, lines 14-48).

Claims 12, 14, and 15:

Giordano teaches a touch sensitive screen (recognizes a touch on its surface) and a user input device such as a touch pad for initiating or terminating a call and/or for adding information to the address book (col. 2, lines 43-65; col. 4, lines 21-26; col. 5, lines 20-26; col. 6, lines 36-53).

**Claim 16:**

See claim 12. Giordano teaches a system that integrates Internet functions with traditional telephone functions including telephony features, such as speaker phone (microphone), (col. 2, lines 16-22; col. 7, lines 1-3). The microphone may be deactivated when the user terminates a call by pressing the touch pad.

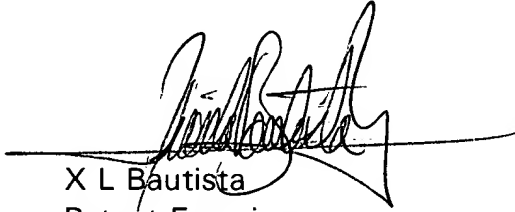
***Conclusion***

3. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach integrated graphical user interfaces provided for the Internet and telephone function screens, which allow a user to initiate and terminate telephone calls.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on M-Th (8:00-18:00) Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



X L Bautista  
Patent Examiner  
Art Unit 2173

xlb  
July 11, 2003